



**OFFICE OF PLANNING**  
55 Trinity Avenue S.W., Suite 3350  
Atlanta, Georgia 30303  
(404) 330-6145

APPLICATION #: **V-16-337**  
DATE ACCEPTED: **12/12/2016**

## NOTICE TO APPLICANT

Address of Property:  
**2283 Pembroke PL NE**

City Council District: **6** Neighborhood Planning Unit (NPU): **F**

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, February 9, 2017 at 12:00 p.m.**

Council Chambers, 2nd Floor, City Hall  
55 Trinity Avenue, S.W.

The contact person for NPU F is:

**Charles Nalbone**  
**404-376-3230**  
**zoning@npufatlanta.org**

Contact info for adjacent NPUs is provided below if necessary:

**Additional Contacts:**

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,

  
\_\_\_\_\_  
Rhonda Woodman  
RG, for Director, Bureau of Planning

  
\_\_\_\_\_  
Timothy Patrick Ryan



Office of Planning

DEC 12 2016

# CITY OF ATLANTA

Office of Buildings - Zoning Division  
55 TRINITY AVENUE, SUITE 3900  
Atlanta, Georgia 30303  
404-330-6175

55 Trinity Ave. S.W.  
Ste. 3350  
Atlanta, GA

## REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-16-339  
NPU f DATE FILED 12/12/16

1. Timothy Patrick Ryan  
Name of Applicant

### BUILDING PERMIT AUTHORIZING

Addition to single-family dwelling

at 2283 Pembroke PL NE 17<sup>th</sup>/5  
Street Address Quadrant District & Land Lot

to be used for Single- Family Residential purposes

The property is zoned R-4 District

2. The Building Permit Was Denied For The Following Reasons:

Applicant seeks a variance from the zoning regulation to to reduce the required front yard setback from 35 feet to 18 feet for an addition to a single-family dwelling.

Applicant seeks no other variances at this time.

### A Complete Plan Review Was Not Conducted 1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (1)

Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Scott Haerberlin 12-12-16  
Plan Reviewer Date

[Signature] 12-Dec-2016  
Applicant Date

DEC 12 2016

APPLICATION FOR VARIANCE
City of Atlanta

55 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

Date Filed 12/12/16 Application Number V-16-337
Name of Applicant TIMOTHY PATRICK RYAN Daytime Phone 404 234 0739
Company Name e-mail TIMRYAN007@YAHOO.COM
Address 2283 PEMBROOK PL. NE ATLANTA GA 30324
street city state zip code

Name of Property Owner TIMOTHY PATRICK RYAN Phone 404 234 0739
Address 2283 PEMBROOK PL. NE ATLANTA GA 30324
street city state zip code

Description of Property

Address of Property 2283 PEMBROOK PL. NE OR
the subject property fronts feet on the side of
and begins feet from the
corner of
Depth: Area: Land Lot: District: County, GA.
Property is zoned: Council District: Neighborhood Planning Unit:

TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an
adverse order or requirement from the administrative officer in seeking a building
permit or certificate of occupancy, hereby requests that the Board of Zoning
Adjustment grant variance(s).

I hereby authorize the staff of the Office of Planning to inspect the premises of the
above-described property. I understand that it is my responsibility to post a public
notice sign on the property according to the instructions given to me by the Office
of Planning upon filing this application. I swear that all statements herein and
attached hereto are true and correct to the best of my knowledge and belief.

Sworn To And Subscribed Before Me This 12 Day Of Dec 2016.

[Signature]
Owner or Agent for Owner (Applicant)
TIMOTHY PATRICK RYAN
APPLICANT'S NAME IN PRINTED LETTERS

[Signature]
NOTARY PUBLIC

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 Ste. 3350  
 Atlanta, GA

**Summary of proposed changes to buildings or site** (example: "Construct a 10-foot by 10-foot, one-story room addition on the first floor of the house.") Include square footages and stories: CONSTRUCT 15 x 21 FOOT ONE STORY ADDITION, 6 FOOT x 7 FOOT ONE STORY ADDITION, ENCLOSE 13 FOOT x 20 FOOT BACK DECK INTO SCREENED-IN PORCH, AND ENCLOSE 20 FOOT x 16 FOOT CARPORT INTO 2-CAR GARAGE.

**Proposed Lot Coverage (After Construction):** Calculate total square footage of all lot coverage on the entire property after construction would be finished, including existing and proposed buildings and other structures, sidewalks, driveways, parking pads, patios, gravel, etc; everything except natural planted or undisturbed areas.

3000 covered square feet / 8970 total lot square feet = 33 % proposed lot coverage

50 % maximum allowed lot coverage

**Variance Procedures**

Variance applications are heard and decided at a regularly-scheduled public hearing by the five-member City of Atlanta Board of Zoning Adjustment ("BZA"). The Office of Planning serves as staff to the BZA. Approximately one week after each closing date, a planner is assigned to review your application. All inquires regarding your application should be directed to this office at (404) 330-6145. The rules of the BZA prevent BZA members from discussing the merits of any case except during the public hearing for that case.

**Schedule.** There are two closing dates and two public hearings per month. The schedule allows time for neighborhood and NPU meetings to occur throughout the City prior to each public hearing. The schedule of closing and public hearing dates is attached (Page 9).

**Neighborhood and NPU Recommendations.** The City is divided into 24 Neighborhood Planning Units (NPU's), each of which has a volunteer citizen advisory committee that makes a recommendation to the BZA on variances. When you file your application, you will be notified of the NPU contact person and that you must schedule a meeting with that NPU in order to explain what you wish to do. You may be requested to attend additional neighborhood meetings; inquire about the time and place of those meetings. The applicant is expected to contact the NPU as soon as possible after the application is filed. The Office of Planning will send a copy of your application to the appropriate NPU during the week after the closing date for your application.

**Public Notice.** When you file your application, it will be scheduled for a public hearing. The Office of Planning will initiate posting of public notice ("an advertisement", "a legal ad") for this public hearing so that the public is informed at least 15 days before the date of the public hearing:

- by sending written notice of your application to all property owners whose property is within 300 feet of the subject property, and
- by causing public notice to be placed in the newspaper.

*You are responsible for obtaining a public notice sign when you file your application with the Office of Planning, and for posting it in a visible location on your property, at least 15 days prior to your public hearing. Failure to properly post the sign will make it necessary for the BZA to defer your case to another public hearing. The BZA may defer the case to a hearing that has been scheduled 30 or more days after the original hearing.*

**Refunds on Withdrawn Cases.** Requests for withdrawal received 18 days prior to the public hearing will enable a refund of the application fee.

**Staff Recommendation.** Office of Planning staff reviews and makes written recommendations to the BZA on each variance application. You may contact your assigned planner at (404) 330-6145 on the day of the public hearing if you wish to know staff's recommendation.

**R****TIM RYAN**2283 Pembroke Place NE  
Atlanta, GA 30324

Phone: 404 234 0739

timryan007@yahoo.com

V-16-337  
Office of Planning

Subject: Variance Request & Justification  
Date: December 12, 2016  
Re: Lot 7 Block E  
Subdivision: Lindridge Martin Manor  
2283 Pembroke PL NE  
Atlanta, GA 30324-4222

DEC 12 2016

65 Trinity Ave. S.W.  
Ste. 3350  
Atlanta, GA**SUMMARY OF PROPOSED CHANGES**

The existing lot is zoned R-4 which requires a 30 FT front setback and 7 FT side setback. In order to build a single-family dwelling on this lot that maintains the character of the neighborhood, this variance request is to:

1. Reduce the 30 FT front yard setback to approximately 20 FT
2. Reduce the 7 FT side yard (south-facing) setback to approximately 4 FT

The planned new structures include an addition of a bedroom and bathroom (to the front of the existing house), expansion of existing dining room (to the side of the existing house), enclosing existing back deck and converting existing carport into a garage. New structures will add approximately 1,000 SF of finished space to the home and the finished garage will be 300 SF of unfinished space.

**JUSTIFICATION OF VARIANCE**

The variance is being requested to address challenges that the required minimum 30 FT front and 7 FT side setbacks present. The main challenge is the shape and size of the lot. It is significantly smaller than conforming R-4 lots so the setback requirements reduce the buildable area in a lot that is inherently reduced due to its shape and dimensions. This request meets all four of zoning variance criteria outlined in Sec. 16-26.003 of the City of Atlanta zoning ordinance:

1. **Extraordinary and exceptional conditions pertaining to this property because of its size, shape or topography** – The property in question is a three-sided lot. It has a shape that limits development in its buildable area. The shape of this lot limits development in the rear side of the lot and therefore requires new structures to be developed in the front of the lot.

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The 7 SF side setback already has a pre-existing structure (carport) that encroaches into the setback. The new expanded dining room would infringe upon the (already breached) side setback by approximately 3 FT.

NOTE: Tree located near front addition structure in attached proposed plan has been deemed hazardous by the City Arborist and is slated to be removed December 27, 2016. Permit number: BA-201607159

**2. Hardships created:**

- a. The 30 FT front setback would eliminate the ability to add a new structure to the front of the house (additional bedroom and bathroom). After reviewing architectural and financial considerations, the only viable option to increasing living space to the property is to encroach into the front and side setbacks.
- b. The 7 FT side setback would eliminate the ability to expand the existing structure to add onto the dining nook space; effectively reducing the space's functionality.

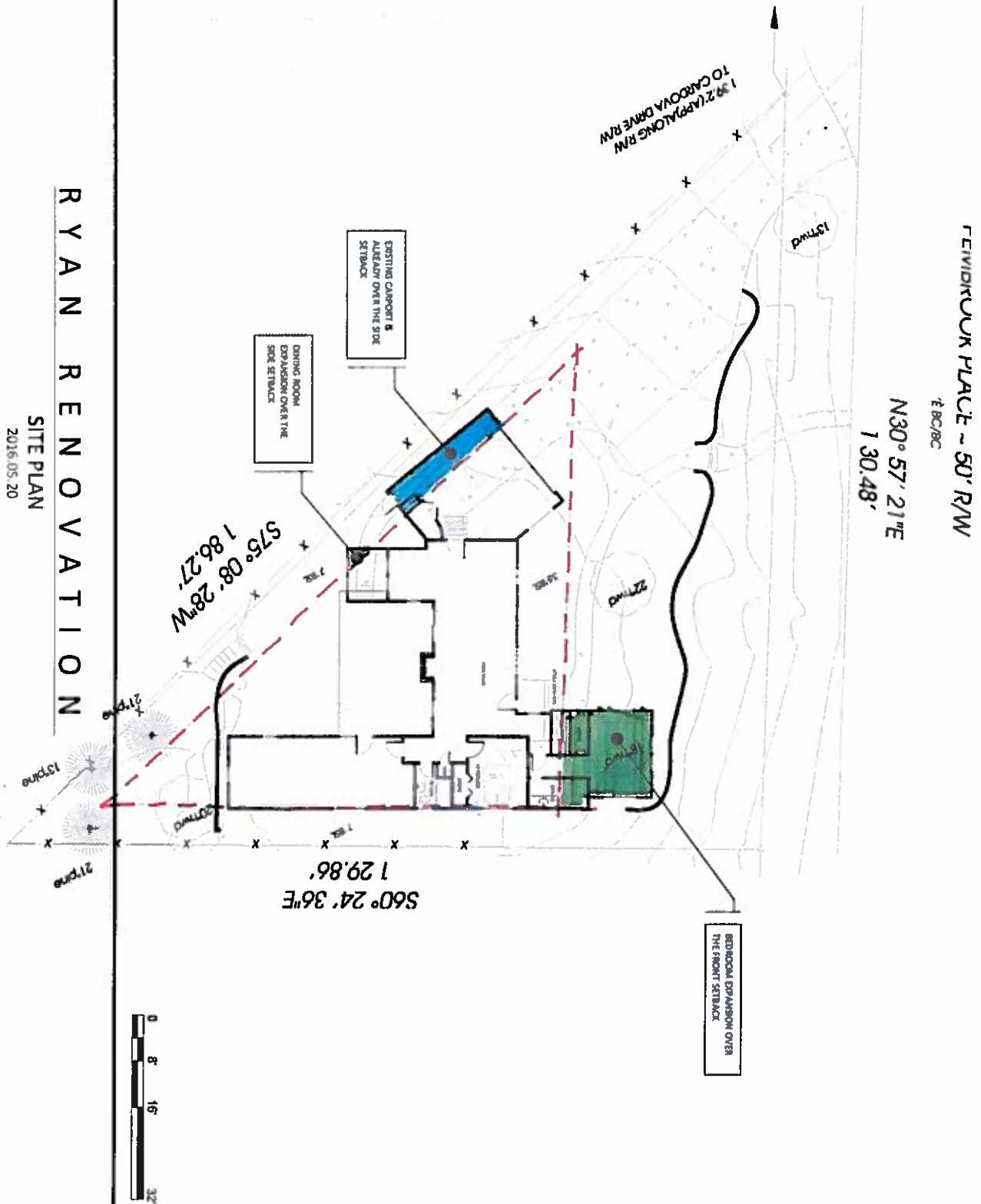
3. **Conditions peculiar to this piece of property** – The zoning ordinance requiring a 30 FT front setback is unique and punitive as this is a three-sided lot. The surrounding properties are four-sided lots and therefore have room in the rear of the lot for building development. Additionally, the existing structure/home is currently one of the smaller structures in the neighborhood.
4. **Consistent with the Zoning Ordinance purpose and intent** – The variance requested herewith would not be detrimental to the public good nor is it in conflict with the intended purpose of the Zoning Ordinance. The variance would still allow for the land lot to be used for a single family dwelling as intended by the Zoning Ordinance. In addition, the variance would allow to further the following purposes and intents: promote desirable living conditions, sustain stability of the neighborhood, and provide for the orderly evolution of the neighborhood.



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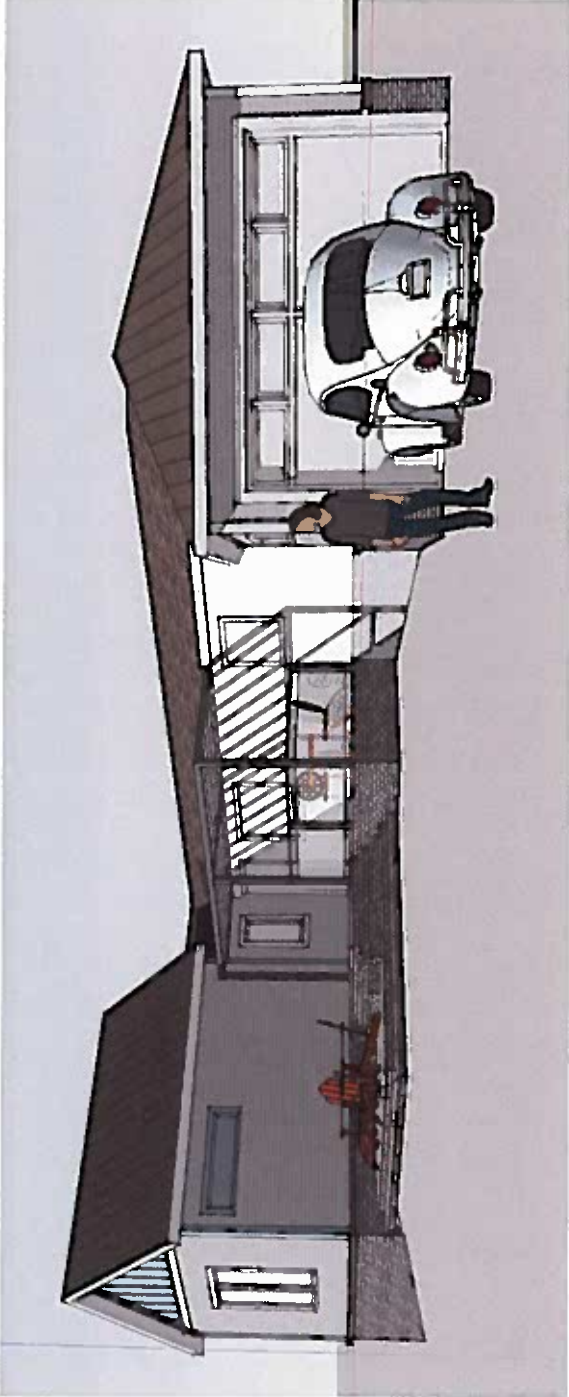


V-14-337

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Atlanta, GA



*Dale Hope*  
DALE HOPE DESIGN

RYAN RENOVATION

MASSING MODEL

2016.06.10

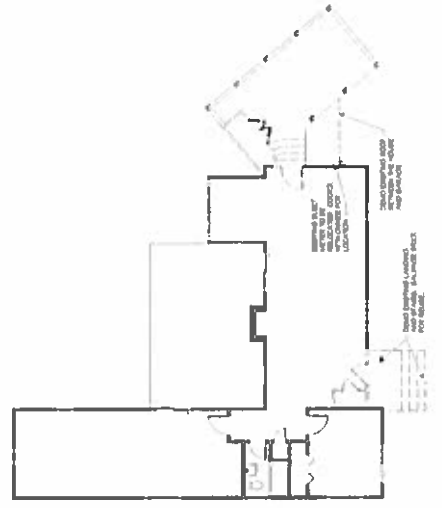
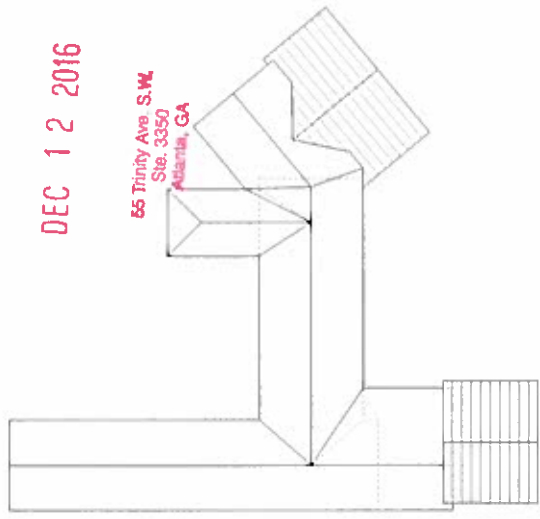
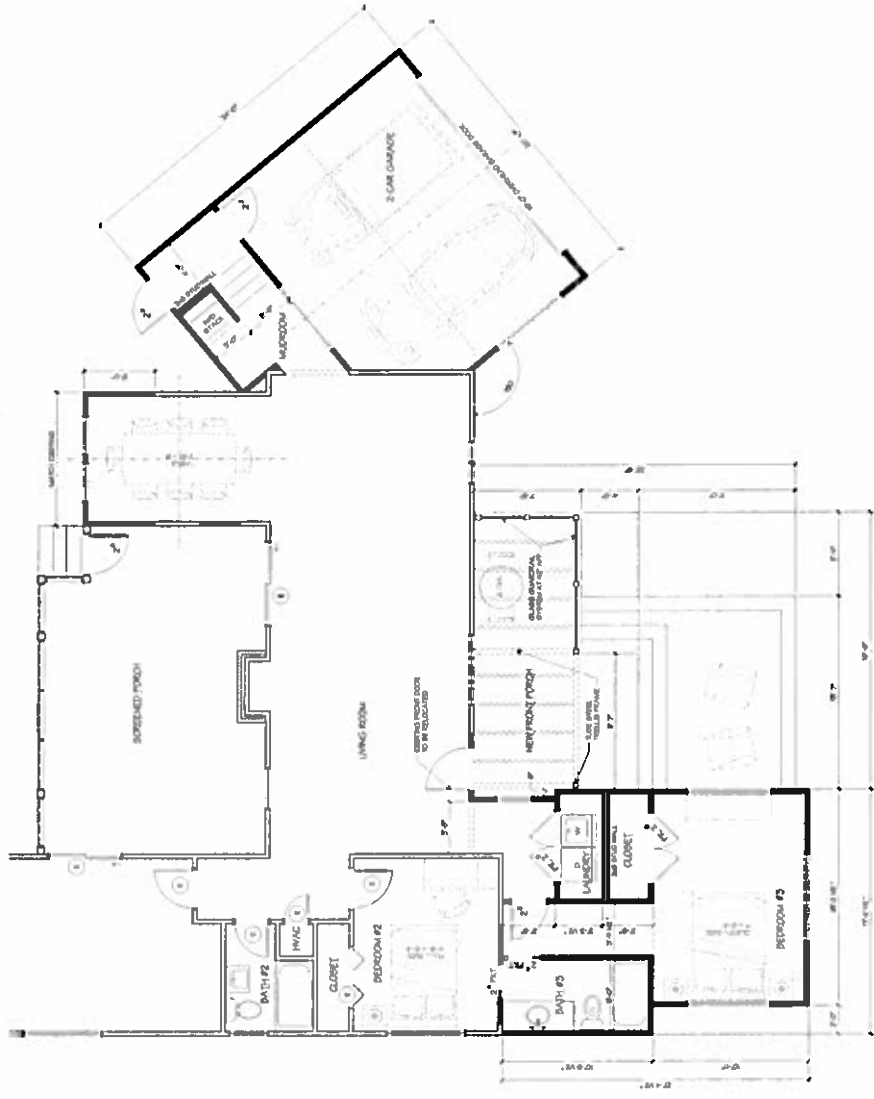
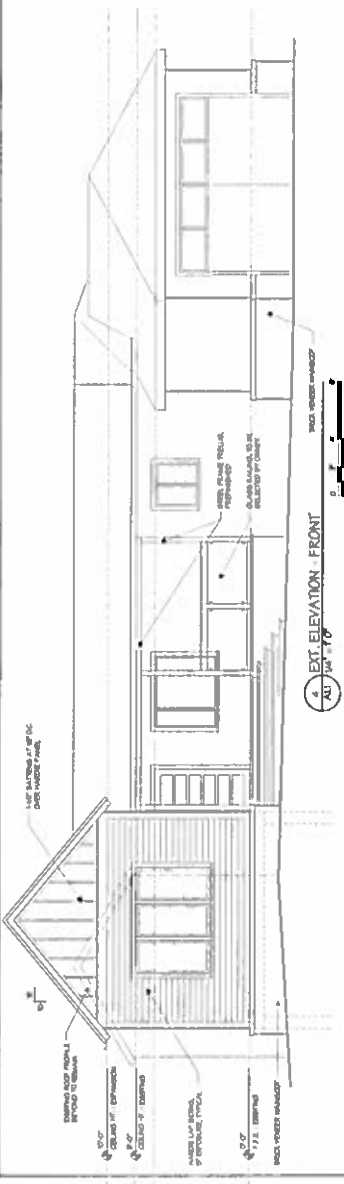


V-16-337

Office of Planning

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65 Trinity Ave S.W.  
Ste. 3350  
Atlanta, GA



# THE RYAN'S

RENOVATION FOR

2101 PERMITS PLACE  
ATLANTA, GEORGIA 30317

*[Signature]*  
ARCHITECT FIRM

REVISIONS:  
DATE: 12/12/16

PROJECT NO.:  
PLANS FOR: EXTERIOR ELEVATIONS

SCALE:  
DATE: 12/12/16

AL-1

*V-10-337*

**Office of Planning**

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**PEMBROOK PLACE ~ 50' R/W**

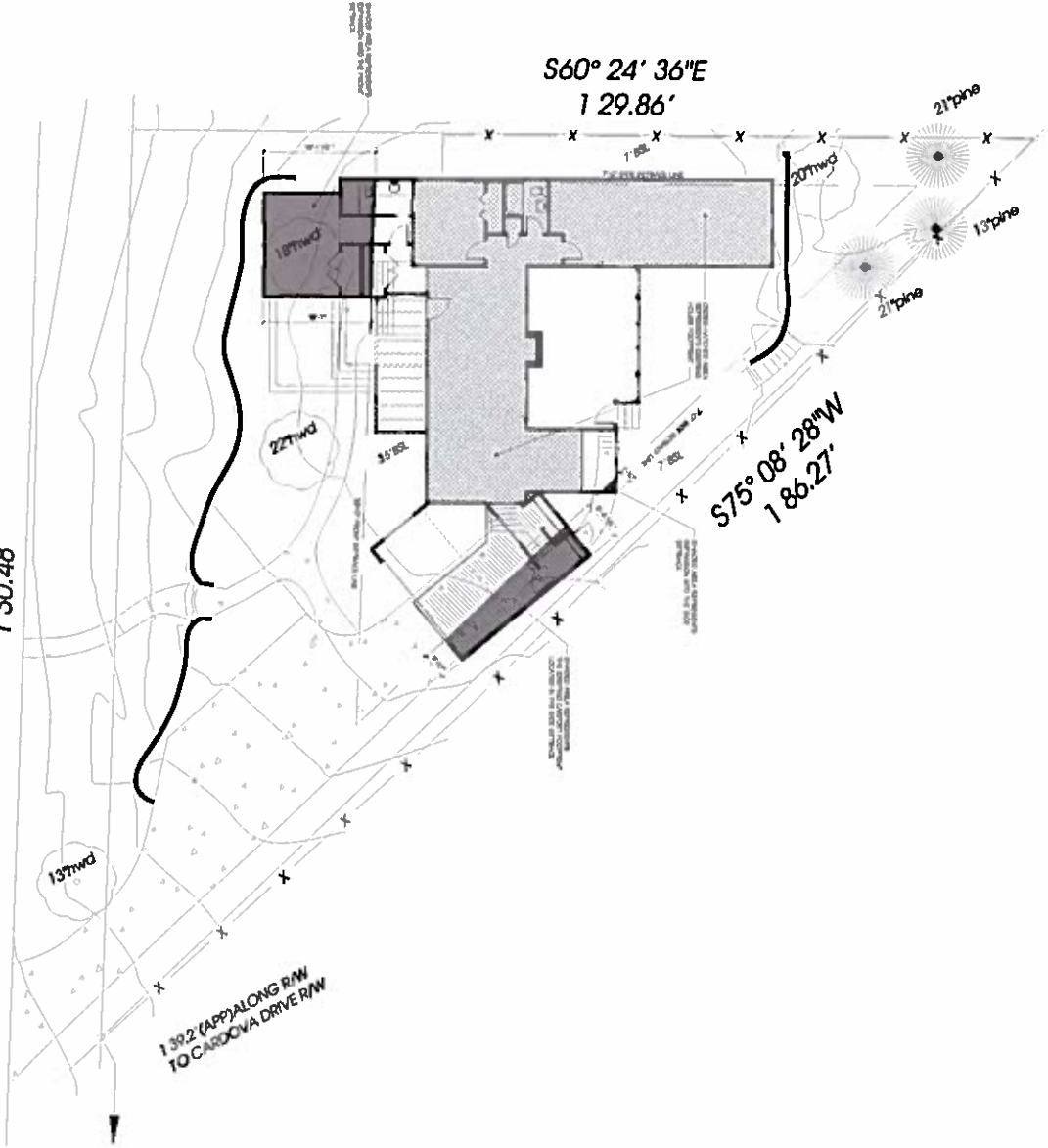
1/2" BC/BC

**N30° 57' 21"E  
1 30.48'**

**1 39.2' (APP) ALONG RAW  
TO CARDOVA DRIVE R/W**

**S60° 24' 36"E  
1 29.86'**

**S75° 08' 28"W  
1 86.27'**



DATE	12/11
SCALE	AS SHOWN
APP. NO.	AL10
DATE	12/11

**REVISIONS:**  
NO. DESCRIPTION

**ISSUED FOR CONSTRUCTION**

**RENOVATION FOR  
THE RYAN'S**  
2283 PEMBROOK PLACE  
ATLANTA, GEORGIA 30324



DEC 12 2016

PLAT PREPARED FOR:  
Tim Ryan

PROPERTY ADDRESS:  
2283 Pembroke Pl Ne  
ATLANTA, GA

LAND AREA:  
8470 SF  
0.194 AC

IMPERVIOUS AREA:  
EAST= 3684 SF=0.83%

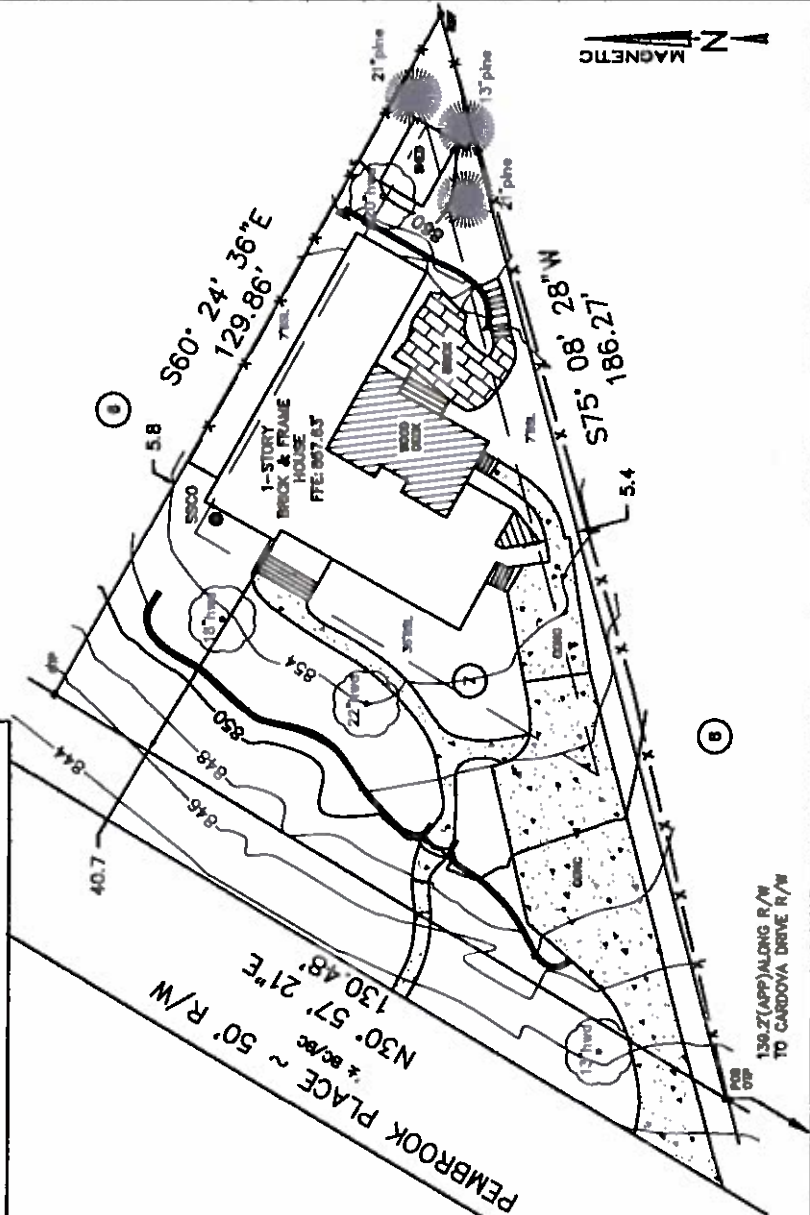
ZONING: R-4



**SURVEY SYSTEMS & ASSOC., INC.**  
857 Lakes Drive, Suwanee, GA 30039 - COA #  
LSP000887 - INFO: SURVEYISTS@SSA.LANTANA.COM  
LSP000887 - INFO: SURVEYISTS@SSA.LANTANA.COM  
TEL: 770-569-7805 - OFFICE 404-780-0010

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 19-8-67.

- LEGEND •  
NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.  
N NEIGHBORHOOD  
M/F NOW OR FORMERLY  
M/F MAIL FOUND  
P PLAT (BOOK/PAGE)  
POB POINT OF BEGINNING  
POC POINT OF COMMENCEMENT  
R RADIUS LENGTH  
R/W RIGHT-OF-WAY  
RFB REINFORCING BAR FOUND (1/2" LAM)  
RFB REINFORCING BAR FOUND (1/2" LAM)  
REBS REINFORCING BAR SET  
SW SIDEWALK  
SSE SANITARY SEWER EASEMENT  
SSCO SANITARY SEWER CLEANOUT  
-X- FENCE LINE



ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE. NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.

NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SWATH & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONFLICT WITH EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES, MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.

BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONFLICT WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES.

THIS MAP/PLAT HAS BEEN FIELD RUN WITH ASSUMED ELEVATIONS. THEN ADJUSTED TO NAVD 1929 BASED ON AVAILABLE OBSERVATIONS FROM GOOGLE EARTH SATELLITE IMAGERY OR OTHER ONLINE SOURCES. THE ELEVATIONS SHOWN HEREON ARE +/- 1' (± ONE FOOT).

RECEIPT

CITY OF ATLANTA  
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVE SW, ATLANTA GA 30303  
404-330-6070

Application: V-16-337  
Application Type: Planning/BZA/Variance/NA  
Address: 2283 PEMBROOK PL NE, ATLANTA, GA 30324  
Owner Name: RYAN TIM  
Owner Address:  
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
498612		\$100.00	12/12/2016	RPLEWIS		

Owner Info.: RYAN TIM

Work Description: Variance to reduce the required front yard setback from 35 feet to 18 feet for an addition to single-family dwelling.

PAID  
CITY OF ATLANTA  
DEC 12 2016  
*LS*  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR